

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

Judy Lindsay,

Complainant,

ORDER CONTINUING HEARING

vs.

Katie Nadeau and the Joyce Peppin
Volunteer Committee,

Respondent.

On November 29, 2004 the Complainant requested a continuance of the hearing in this matter set for November 30, 2004. Respondents opposed the continuance.

Matthew P. Franzese, Leuthner Law Office, 1311 Broadway, Suite 2, P. O. Box 637, Alexandria, MN 56308, represents the Complainant. Matthew W. Haapoja, Trimble & Associates, Ltd., 10201 Wayzata Blvd., Suite 130, Minneapolis, MN 55305, represents the Respondents.

Based on the reasons set out in the following Memorandum, the Administrative Law Judge Panel makes the following:

ORDER

IT IS HEREBY ORDERED:

1. The hearing in this matter is continued to Friday, December 3, 2004 at 2:00 p.m. at the Office of Administrative Hearings.
2. Complainant must file and serve copies of witness lists and exhibits by 4:30 p.m. on December 2, 2004.

Dated this 29th day of November, 2004.

S/ George A. Beck _____
GEORGE A. BECK
Presiding Administrative Law Judge

MEMORANDUM

Counsel for Complainant requested a continuance of the hearing in this matter by letter dated November 29, 2004. The Notice of Hearing setting the hearing for November 30, 2004 was served upon counsel by mail on November 18, 2004. Mr. Franzese states that he was out of the office from November 17 to November 29, 2004 and was not aware the hearing had been set. He states he will need to subpoena some of the witnesses for the hearing.

Respondents objected to the continuance because two witnesses scheduled for November 30, 2004 had a difficult time getting off from work. However, since counsel for Complainant's office apparently failed to alert him to the hearing date, a continuance is required.

Since this hearing is set to be held after the election, a short continuance, while inconvenient, does not appear to prejudice the Respondents. The hearing is therefore continued to December 3, 2004 at 2:00 p.m.

G.A.B.